

**Remarks**

Favorable reconsideration of this application, in view of the above-amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 1-6 and 8-16 are currently pending in the application; Claims 1-6 and 8-11 having been amended, Claim 7 having been canceled, and new Claims 12-16 having been added, by way of the present response.

In the outstanding Office Action, the drawings were objected to under 37 C.F.R. § 1.83(a) as not showing every feature of the invention specified in the claims. In response, as shown on the attached new drawing sheet, Applicants have added new Figure 4 that shows a non-limiting example of a packaging and dispensing unit including first and second bags. Applicants have also amended the specification to refer to the new figure. Thus, Applicants respectfully request that the objection to the drawings be withdrawn,

In the Office Action, Claim 11 was rejected under 35 U.S.C. § 112, first paragraph, as not reasonably providing enablement for obtaining a pasty product by mixing of two components. In response, Applicants respectfully assert that the rejection has been overcome by the amendment of Claim 11. Specifically, Claim 11 has been amended so as not to recite that a liquid with a pasty consistency is obtained by mixing at least two components. Thus, Applicants respectfully request that the rejection of Claim 11 under 35 U.S.C. § 112, first paragraph, be withdrawn.

In the Office Action, Claims 10 and 11 were rejected under 35 U.S.C. § 112, second paragraph. In response, Applicants respectfully assert that the rejection has been overcome by the amendment of the claims. Specifically, each of Claims 10 and 11 have been rewritten in independent form, and avoid a double inclusion of a bag and a casing. Thus, Applicants respectfully request that the rejection of newly independent

Claims 10 and 11 under 35 U.S.C. § 112, second paragraph, be withdrawn. Further, Applicants respectfully request that the newly independent claims be examined on the merits.

Applicants respectfully request clarification regarding the indication in the Office Action Summary that some certified copies of the priority documents have been received. Specifically, Applicants respectfully request that the next Patent Office communication provide a list of certified copies not received.

In the Office Action, Claims 1-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,312,018 to Evezich. Applicants respectfully assert that the rejection has been overcome for the following reasons.

Claims 1-6 and 8-11 have been amended so as to be in better condition for examination and to correct informalities. Further, new Claims 12-16 have been added. Applicants respectfully assert that support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and that therefore no new matter has been added.

The present invention is directed to a bag adapted to contain a product of liquid to pasty consistency, which is intended to be dispensed by a manual jet metering pump of the type without air renewal to be placed over an area of opening of the bag and to be arranged to ensure that the product is kept permanently air-sealed or appreciably air-sealed. Independent Claim 1 recites a wall including a first portion and a second portion, the second portion having a thickness greater than the first portion and means for attaching to a pump.

Evezich is directed to a containing and dispensing device. As shown in Figures 17-20, for example, of Evezich, a neck 280, having an inlet opening 282 therethrough, has a cap 284 positioned thereon for receipt through an inlet terminus 286 of fluid, for

example air, to provide pressure an the internal portion of the device 270 through the conduit 288.<sup>1</sup> The neck 280 is connected with, or formed as a part of, an outer container 296. The materials to be dispensed are contained within material handling unit 298 including a relatively rigid portion 300 and a readily deformable bladder portion 302.<sup>2</sup>

However, Applicants respectfully assert that Evezich does not teach the claimed features of a wall including a first portion and a second portion, the second portion having a thickness greater than the first portion and means for attaching to a pump, as recited in independent Claim 1. As stated above, Evezich does not state that either of the relatively rigid portion 300 or the readily deformable bladder portion 302 attaches to a pump. Rather, Evezich states that the neck 280 of the outer container 296 attaches to the inlet terminus 286, the relatively rigid portion 300 contained in the outer container 296. Specifically, independent Claim 1 recites “a wall comprising a first portion and a second portion, the second portion having a thickness greater than the first portion and means for attaching to the pump.” Thus, Applicants respectfully request that the rejection of independent Claim 1 under 35 U.S.C. § 102(b) be withdrawn and the independent claim allowed.

Remaining dependent Claims 2-6, 8, and 9 depend from independent Claim 1, and are therefore also allowable for at least the same reasons as the independent claim, as well as for their own features. Thus, Applicants respectfully request that the rejection of remaining dependent Claims 2-6, 8, and 9 under 35 U.S.C. § 102(b) be withdrawn and the dependent claims allowed.

Applicants further respectfully assert that each of newly independent Claims 10 and 11, as well as new independent Claim 12, recite features that are not taught or

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<sup>1</sup> Column 8, lines 37-46.

<sup>2</sup> Column 8, lines 56-60.

suggested by the references of record in the application, including Evezich.

Specifically, Applicants respectfully assert that, among other novel and unobvious features, newly independent Claims 10 and 11 recite a bag including a wall having a first portion and a second portion, the second portion having a thickness greater than the first portion and means for attaching to a pump. Thus, Applicants respectfully request the allowance of newly independent Claims 10 and 11.

Similarly, Applicants respectfully assert that new independent Claim 12 recites a bag including first body portion having a first thickness, the first body portion including a folded portion adapted to retract during a dispensation of a product from the bag, and a second body portion disposed adjacent the first body portion and having a second thickness that is greater than the first thickness, the second body portion including an annular portion adapted to cooperate with a cover. Further, new dependent Claims 13-16 depend from new independent Claim 12. Thus, Applicants respectfully request the allowance of new Claims 12-16.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-6 and 8-16 is earnestly solicited.

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Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.



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Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'G. J. Maier', written in a cursive style.

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